

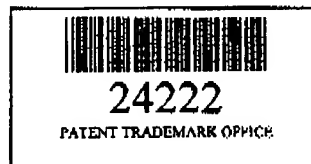
#9
3/17/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: BROWN, David C. Group Art Unit: 2834
Serial No. 09/758,078 Examiner: PEREZ, Guillermo
Filed: January 10, 2001 Atty. Dkt. No: OSPD91-US
For: ROTARY DEVICE WITH MATCHED EXPANSION CERAMIC BEARINGS

To: Box No Fee/Amendment
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CERTIFICATE OF FACSIMILE 37 CFR 1.8: I certify that this correspondence is being faxed to: Examiner
Guillermo Perez, at FAX #: 703-872-9318, Tel #: 703-306-5443 on the below date.

Date: 03/14/2002 [x] Debra A. Stangel Debra A. Stangel
[] Vernon C. Ivaine, Reg. No. 37,389 or [] Scott J. Adams, Reg. No. 42,269

AMENDMENT UNDER 37 CFR 1.85 and 1.115

In response to the Office Action of December 14, 2001, please the following remarks in the above-identified application:

REMARKS:

The Office rejected claims 5-7 under 35 USC 103(a) as unpatentable over Gadlok's '359 in view of Stangeland's '146; alleging that Gadlok teaches the claimed invention, but does not show the shaft and bearing support structure having the same coefficient of thermal expansion (CTE) as the bearing assembly set of all ceramic inner race, outer race, and bearing balls; and that Stangeland discloses shaft and bearing support with the same CTE as ceramic bearing assemblies with all ceramic components with the purpose of improving bearing longevity and wear resistance.

The claims rejections in the Office correspondence are 35 USC 103 obviousness rejections, for which Office policy is to follow the Graham v. John Deere Co. four factual inquiries for determining obviousness; (A) determining the scope and contents of the prior art;